

# Frequently Asked Questions

(Go to [www.ftb.ca.gov](http://www.ftb.ca.gov) for more frequently asked questions)

## 1. What if I can't file by April 15, 2004, and I think I owe tax?

You must pay 100% of the amount you owe by April 15, 2004, to avoid interest and penalties. If you cannot file because you have not received all your Form(s) W-2, estimate the amount of tax you owe by completing form FTB 3519, Payment Voucher for Automatic Extension for Individuals on page 49. Mail it to the FTB with your payment by April 15, 2004. Then, when you receive all your Form(s) W-2, complete and mail your return by October 15, 2004 (you must use Long Form 540NR).

## 2. I never received a Form W-2. What should I do?

If you do not receive all your Forms W-2 by January 31, 2004, contact your employer. Only your employer can issue or correct a Form W-2. For more information, call (800) 338-0505, select personal income tax, then general information, and enter code **204** when instructed.



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If you cannot get a copy of your Form W-2, you must complete form FTB 3525, Substitute for Form W-2, Wage and Tax Statement, or Form 1099, Distributions from Pensions, Annuities, Retirement, or Profit Sharing Plans, IRAs, Insurance Contracts, Etc. See "Where To Get Income Tax Forms and Publications" on page 58.

## 3. How can I get help?

There are more than 1,500 sites throughout California where trained volunteers provide free help during the tax filing season to persons who need to file simple federal and state income tax returns. Many military bases also provide this service for members of the U.S. Armed Forces. From January 2 through April 15, a list of locations is available on our Website at [www.ftb.ca.gov](http://www.ftb.ca.gov) or you may call the FTB at (800) 852-5711 to find a location near you.

## 4. What do I do if I can't pay what I owe with my 2003 return?

Pay as much as you can when you file your return. If you cannot pay your tax in full with your return, you can request monthly payments. However, you will be charged interest and may be charged an underpayment penalty on the tax not paid by April 15, 2004, even if your request to pay in installments is approved. To make monthly payments, complete form FTB 3567, Installment Agreement Request, and mail it to the address on the form. **Do not mail it with your return.**



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The Installment Agreement Request might not be processed and approved until after your return is processed, and you may receive a bill before you receive approval of your request.

To order this form by phone, call (800) 338-0505, select personal income tax, then select order forms and publications, and enter code **949**. Or, go to our Website at [www.ftb.ca.gov](http://www.ftb.ca.gov).

**Note:** You can also pay by credit card. See page 59.

## 5. How long will it take to get my refund?

If you file electronically, you will get the fastest possible refund. Your refund check will be in the mail within 7 to 10 calendar days (or if you request direct deposit, the refund will post to your bank account within 5 to 7 banking days) from the time the FTB receives your electronic return. For more information about electronic filing, go to our Website at [www.ftb.ca.gov](http://www.ftb.ca.gov) or call (800) 338-0505, select personal income tax, then select general information, and enter code **112** when instructed.



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If you do not electronically file your return, you should receive your refund check, or if you request direct deposit the refund should post to your account, within 6 to 8 weeks after you file your return.

## 6. I expected my refund by now. How can I check on the status?

You can check on the status of your refund over the Internet. Go to our Website at [www.ftb.ca.gov](http://www.ftb.ca.gov).

You can also call our automated phone service. See page 60.

## 7. I discovered an error on my tax return. What should I do?

If you discover that you made an error on your California income tax return after you filed it, use Form 540X, Amended Individual Income Tax Return, to correct your return. See "Where To Get Income Tax Forms and Publications" on page 58.

## 8. I found an error after FTB accepted my e-file return. What should I do?

You cannot retransmit an e-filed tax return once we've accepted the original. You can correct an error only by completing an Amended Individual Income Tax Return (Form 540X) and mailing the paper copy to us. See "Where To Get Income Tax Forms and Publications" on page 58.

## 9. The Internal Revenue Service (IRS) made changes to my federal return. What should I do?

If your federal income tax return is examined and changed by the IRS and you owe additional tax, you must report these changes to the FTB within six months of the date of the final federal determination. If the changes made by IRS result in a refund due for California, you must claim a refund within two years of the date of the final federal determination. You may either use Form 540X to correct the California income tax return you already filed, or you may send a copy of the federal changes to:

**ATTN RAR/VOL, AUDIT SECTION  
FRANCHISE TAX BOARD  
PO BOX 1673  
SACRAMENTO CA 95812-1673**

Regardless of which method you use to notify the FTB, you must include a copy of the final federal determination along with all data and schedules on which the federal adjustment was based. Get FTB Pub. 1008, Federal Tax Adjustments and Your Notification Responsibilities to California, for more information. See "Where To Get Income Tax Forms and Publications" on page 58.

**Note:** You do not have to file Form 540X if the changes do not affect your California tax liability.

## 10. How long should I keep my tax information?

We may request information from you regarding your California income tax return within the California statute of limitations period, which is usually the later of four years from the due date of the return or four years from the date the return is filed. (Exception: An extended statute of limitations period may apply for California or federal tax returns that are related to or subject to a federal audit.)

Keep a copy of your return and the records that verify the income, deductions, adjustments, or credits reported on your return. Some records should be kept longer. For example, keep property records as long as they are needed to figure the basis of the property or records needed to verify carryover losses (e.g. net operating losses, capital losses, passive losses, casualty losses, etc.).

## 11. I will be moving after I file my return. How do I notify the FTB of my new address?

You can notify the FTB of your new address by using form FTB 3533, Change of Address. This form is available on our Website ([www.ftb.ca.gov](http://www.ftb.ca.gov)) as a fillable form or you may call (800) 852-5711 and select option 5 to report a change of address.

After filing your return, you should report a change of address to us for up to 4 years, especially if you leave the state and no longer have a requirement to file a California return.

### **Exclusions for Registered Domestic Partners**

Several taxpayer benefits are extended to apply to a taxpayer's registered "domestic partner" and their dependent(s) for medical expenses and health benefits that occur on or after January 1, 2003. These benefits include:

- The exclusion from gross income for employer-provided accident and health insurance,
- An exclusion from gross income for medical expense reimbursement if the expense was not previously deducted,
- Medical expenses deductible as an itemized deduction,
- Long-term health care insurance deductible as a medical expense, and
- A deduction by self-employed individuals for health insurance costs paid for themselves, their spouses, and dependents. The deduction may not exceed the net earnings from the trade or business in which the insurance plan is established.

The deductions are taken as an adjustment on Schedule CA (540 NR).

**Holocaust Restitution Payments** – An exclusion is provided for holocaust reparations received by eligible individuals, their heirs, or estate for holocaust restitution payments, distributions or excludable trust.

**Energy Rebates** – An exclusion is allowed for vouchers, rebates, or other financial incentives received from the California Energy Commission, the Public Utilities Commission, or a local publicly owned utility for the purchase and installation of specified energy production systems.

**Military Service Benefits** – Extensions of time are provided to members of the National Guard ordered into active service by the Governor of California or active federal service by the President of the United States for emergency purposes and to reservists called to active duty. The extensions apply to, among other things, court proceedings, contract obligations, rental agreements, taxes or assessments, and health or medical insurance.

In addition, California allows an exemption from taxes to any California taxpayer who dies on active duty with any branch of the armed forces of the United States.

**New Voluntary Contribution Fund** – You may make voluntary contributions to the California Missions Foundation Fund.

### **Federal Conformity Items**

- California conforms to federal provisions regarding disallowance of club dues.
- California conforms to federal provisions regarding disallowance of lobbying and political expenses.
- California has conformed to the Victims of Terrorism Tax Relief Act of 2001 to allow victims who have died as a result of the terrorist attacks of September 11, 2001, and the anthrax incidents in 2001, a forgiveness of their state tax liability for the year immediately preceding the incident and all subsequent tax years until the date of death. For victims who died in 2001, this will result in a forgiveness of tax liability for tax year 2000 and 2001. For more information, get Form 540X, Amended Individual Income Tax Return, and instructions.

### **New Federal Non-Conformity Items**

California does not conform to the provisions of the Military Family Tax Relief Act of 2003. For more information, get FTB Pub. 1001, Supplemental Guidelines to California Adjustments (2003) and FTB Pub. 1032, Tax Information for Military Personne (2003).

**Head of Household Filing Status** – For information, get FTB Pub. 1540, Tax Information for Head of Household Filing Status.